UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/1997/SR.11
21 March 1997

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS

Fifty-third session

SUMMARY RECORD OF THE 11th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 17 March 1997, at 3 p.m.

Chairman: Mr. SOMOL (Czech Republic)

CONTENTS

IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE THIRD DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Commission at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.96-11093 (E)

The meeting was called to order at 3.15 p.m.

IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE THIRD DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION (agenda item 13) (continued) (E/CN.4/1997/68, and Add.1, 70, 71 and Add.1 and 2 and 72/Add.2, 3 and 4; A/51/301)

1. Mr. GLELE-AHANHANZO (Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance), introducing his report (E/CN.4/1997/71 and Add.1 and 2), said that the abundance of documentation on the current item reflected the increasingly alarming nature of the world situation with regard to racism, racial discrimination and xenophobia. At the fifty-first session of the General Assembly, he had voiced his concern at that situation and its various manifestations. The international community could not remain indifferent to that ominous trend. A world in which discrimination on grounds of colour, race and national origin, or, indeed, "continental origin", was practised routinely could hardly call itself a "global village". Before economic globalization proceeded any further, it must be decided whether human beings, as well as goods, were to be entitled to international freedom of movement. Many people whom he had met on his field missions placed their hopes in the United Nations, and he appealed to the Commission not to disappoint them.

2. Since the publication of his report, he had received observations from the Governments of Australia and the United States of America on cases of racial discrimination, racism and xenophobia which had been transmitted to them. Those observations would be brought to the Commission's attention in his next report.

3. Mr. KRYLOV (Russian Federation) said that the new forms being assumed by racism and racial discrimination were making it more difficult to identify, prevent and fight those evils. Ghettos, racial laws and formal segregation were things of the past, but hundreds of thousands of people were still being deprived of their citizenship and otherwise discriminated against while attempts to construct mono-ethnic societies were being made in the name of historical justice.

4. The United Nations should adapt to the new realities and adopt new methodological approaches and assessment criteria. The various treaty bodies and the special mechanisms established by the Commission had an important role to play in that process. None of the forms and manifestations of racial discrimination should be ignored. It was particularly important not to exclude the problems of minorities from the activities being undertaken in connection with the Third Decade to Combat Racism and Racial Discrimination.

5. Prevention of inter-ethnic hostility was vitally important for his country, a very large multinational State with more than one hundred peoples, each having its own material and spiritual culture, living side by side. Much had still to be done in terms of both legislation and practical action to develop inter-ethnic harmony and prevent crisis situations, but the first steps had been taken.

6. The principle of equality of all nationalities was enshrined in the Constitution of the Russian Federation, and a comprehensive programme of

measures designed to regulate inter-ethnic and federative relations and to guarantee the rights of national minorities had been confirmed by presidential decree in June 1996. The main object was to ensure the full enjoyment by all the nationalities of the Federation of their right to social, national and cultural development and to strengthen the sense of community of the whole nation on the basis of respect for human rights and fundamental freedoms. Furthermore, the new Criminal Code provided penalties for violations of the equality of citizens on grounds of race or ethnic origin.

7. Mr. DEMBRI (Algeria) said that the resurgence of new forms of racism and racial discrimination so soon after the disappearance of apartheid was a matter of serious concern. The political and geopolitical changes of the past few years had encouraged the growth of nationalism, leading to many tragic conflicts between different communities and ethnic groups. The phenomenon was not confined to the poorest regions of the planet; it affected several continents and created a serious threat to stability, security and peace throughout the world. It was thus the duty of the international community to condemn strongly and unequivocally all forms of xenophobia and racial hatred.

8. His delegation supported the idea of holding a world conference to combat racism and racial discrimination, provided that such a conference did more than simply pay lip-service to the need to fight those evils. It was dismayed at the insignificance of the results achieved so far within the framework of the Third Decade to Combat Racism and Racial Discrimination and felt that the issue should be given priority and should receive a larger share of the Organization's attention and resources.

9. Foreigners, particularly migrant workers, were the first direct victims of the new forms of racism and racial discrimination. In a context of world economic crisis, the simplistic and xenophobic view that foreign workers were responsible for unemployment was gaining ground and was being exploited by certain ruthless political leaders. The Commission should condemn such practices and reject the concept of "national preference" which seemed to be taking root in the labour market, with the effect of accentuating differences between workers instead of promoting solidarity among them. The emergence of new laws or regulations making the legal status of foreign workers less secure must thus also be condemned.

10. It was regrettable that racist political parties should be able to invoke the principle of freedom of expression in order to disseminate their harmful xenophobic ideas. All ideas of racial or ethnic superiority leading to exclusion and hatred among peoples must be condemned and the struggle against racism and racial discrimination must be waged at both the national and the international levels.

11. Ms. GHOSE (India) said that the current item was one of the most important on the Commission's agenda because the phenomenon of racism as an all-pervading cause of discrimination was gaining ground. Although the international community had decided to give priority status to the issue, its actual treatment thereof was so casual as to be almost cavalier. It would seem that, with the collapse of the apartheid system, the focus on racial discrimination had lost its sharpness.

12. Yet racism not only persisted but was actually growing, as evidenced by almost daily incidents in various parts of the world and by the fact that social and political groups propagating racial superiority continued to thrive unhindered by law, the media, civil society or even Governments. Remarkable creations of the information age, such as the Internet, were being used as vehicles for propagating racial intolerance. The Commission should condemn such acts and express strong support for all those actively opposing them.

13. Her delegation's intention in highlighting the issue was not to point a finger at anyone. Laudable efforts were being made, such as the European Union's proclamation of 1997 as the Year against Racism, the Council of Europe's "All Different, All Equal" public campaign and the steps taken to set up a European monitoring centre on racism, but a sense of urgent concern was still lacking in the international community's approach.

14. The fact that the Centre for Human Rights had been able to organize only one seminar since the adoption of the Programme of Action for the Third Decade to combat Racism in 1993 was indicative of that neglect. Funds appeared to be available for other activities of the Centre but the Programme of Action against Racism was starved of finance. Instead of deploying funds from the regular budget, the Centre had preferred to remain inactive and await voluntary contributions. Indeed, the report of the Secretary-General on the implementation of the Programme of Action (E/CN.4/1997/68) gave the impression that the Department of Public Information had done much more than the Centre for Human Rights to advance the goals of the Decade. No member of the Centre's staff appeared to be designated to deal specifically with racism.

15. Whatever the reasons for such neglect, it should not be permitted to continue. The Commission must seek effective solutions at the international level, while supporting and encouraging action at the national level. The battle against racial intolerance and discrimination was not just a matter of government action or of legislation but of efforts by society at large to promote tolerance and to counter prejudice and bigotry. International cooperation, especially through the United Nations, could play a useful role in that regard; the Commission and other human rights bodies should be used to exchange experience on effective ways of fighting racism. The Programme of Action should be re-energized and funded from the regular budget, with voluntary contributions supplementing the Centre's normal efforts.

16. At the previous session, her delegation had expressed disappointment at the Special Rapporteur's inability to submit his complete reports on certain field missions and had urged that his recurrent problems of human and financial resources be effectively addressed. It was thus dismayed to learn from his current report (E/CN.4/1997/71) that such problems continued to prevent him from discharging his mandate effectively. That was a matter of serious concern and needed to be rectified immediately. The Centre, and indeed the Commission itself, would lose credibility if such an important human rights issue were killed by lack of funds.

17. The member States of the Commission should reiterate their belief that racism was one of the most serious violations of human rights and express their commitment to addressing the problem through national, joint and concerted action. They should clearly affirm the view that, under

international law, racism was not an opinion but an offence. The focus should clearly remain on the evils of racism as discrimination based on colour, race or national origin. Racism should not be confused with discrimination in general or with other aspects of discrimination that were more appropriately dealt with under other agenda items.

18. Those parties to the International Convention on the Elimination of All Forms of Racial Discrimination which had expressed reservations on certain provisions must be persuaded to withdraw them. All countries should compare their own laws with the model legislation prepared and circulated by the Centre, with a view to bringing their standards up to international levels. The Special Rapporteur's recommendations should be translated into action. Measures to promote tolerance and pluralism through special education programmes and media campaigns should be initiated in all countries where racism presented a serious problem, with the Centre providing the necessary assistance and expertise through its technical cooperation programme.

19. The Commission should support the convening of a world conference to combat racism, racial discrimination, xenophobia and related intolerance and preparations therefor should begin without delay. As part of the preparatory process, measures to combat racism should be given priority on the agenda of the Commission's next session, by which time, she hoped, the international community's response would no longer be marked by apathy and unconcern.

20. Ms. GAER (United States of America) said that, during the 20 years that had followed the first session of the Commission, her country had established a set of federal, State and local laws prohibiting racial discrimination and providing for legal redress that were unmatched by any nation. The elimination of national, racial and ethnic discrimination had been and would remain her Government's firm policy. Its efforts to overcome the tragic legacy of slavery and segregation had the full support of the country's people.

21. Nowhere in the world was there so much open discussion of race and discrimination, nor so many non-governmental organizations (NGOs) devoted to the cause of racial justice as in the United States. The task of achieving racial justice was not finished. The country's racial divisions had a long and painful history. As President Clinton had said, the forces of prejudice and contempt had nearly destroyed the nation in the past and plagued it still. Racism was undoubtedly a problem in the United States, as it was in every nation of the world. It was for that reason that her delegation had supported the appointment of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance.

22. It was unfortunate, therefore, that the Special Rapporteur's early reports had been marred by numerous inaccuracies. His report on the United States (E/CN.4/1995/78/Add.1) implied, in its paragraph 111, that racism and racial discrimination were tolerated or even tacitly approved by government institutions. That did a serious disservice to the Government and people of the United States. The Special Rapporteur appeared not to understand the racial situation in the United States, to say nothing of its policies and legal structures. He seemed to have accepted anecdote as fact

and taken every criticism at face value, while failing to note the rich body of statistical and analytical research on the issue by Government, NGOs, educators and governmental bodies.

23. It had been hoped that the Special Rapporteur would investigate a wide range of contemporary forms of racism and racial discrimination, but his analysis of the topics was often disappointing. The mere recitation of quotations from other sources was a poor substitute for the analysis that the world community expected of him. Since the Special Rapporteur's mandate was the first to address anti-Semitism - an age-old phenomenon that had led to genocide and tragedy - she urged him to give the matter more detailed and nuanced attention.

24. Mr. SELBI (South Africa) said that his country had never previously been a member of the Commission, for reasons that lay at the heart of the agenda item under consideration. The apartheid policies of the former regime and the response of the international community had kept it from participating in the work of such bodies. His country thus knew only too well the pain that could be inflicted on mankind by policies of racism and racial discrimination.

25. Since South Africa's transition to democracy, it had adopted a number of measures in that regard. The "Founding Provisions" of the Constitution provided that no one should be unfairly discriminated against on the grounds of, inter alia, race, ethnic or social origin, colour, religion, culture or language, a prohibition that extended across the whole spectrum of national life.

26. South Africa had also had to deal with the historical legacy of the apartheid system, requiring that some provision should be made for compensation or remedial government action for the victims of past discrimination. Among the measures taken had been the establishment of such national institutions as the Human Rights Commission, the Commission on Gender Equality, the Truth and Reconciliation Commission and the National Youth Commission and the appointment of the Public Protector. Racism had not, of course, been completely removed from South African life. Society could not be purged completely in a matter of a few years.

27. The Universal Declaration of Human Rights, which, in 1948, had given the opponents of the apartheid system a ray of hope at a dark moment, had been embraced by the new South Africa. There appeared, however, to be a dangerous perception that, with the demise of apartheid, the international community needed to pay less attention to racism, with the result that a deafening silence surrounded the issue. If anything, however, the problem had become more severe. Racism was not confined to any one nation or any one continent, and its ugly, though different, manifestations occurred everywhere. The international community must continue to give the problem serious consideration and consider how best to utilize the resources of the United Nations in addressing it. It was a problem that could not be resolved at the international level alone; national Governments and their citizens must be committed to ridding their societies of racism.

28. The United Nations' task was to provide a clear direction to the international community, measuring how each country combated the horrors of

racism and identifying a realistic programme of action. If another world conference on racism was to be held, it should be preceded by thorough preparatory work at the regional and subregional levels. Pious words must be accompanied by action on the ground.

29. His delegation welcomed the work of the Special Rapporteur and called on States to implement his recommendations. The issue should not, however, become entangled in politics; racism and racial discrimination were too important to be used as a political football.

30. Mr. PRATOMO (Indonesia) said that the proclamation of the Third Decade evidenced the firm commitment of the international community to eradicating all forms of racism and racial discrimination. The World Conference on Human Rights and the Vienna Programme of Action had set it as a priority, and efforts to implement the goals of the Third Decade and the Vienna obligations should be redoubled. The Programme of Action for the Third Decade provided a good vehicle for achieving those goals, but adequate financial resources were required to undertake the activities contained therein.

31. As the General Assembly had noted with regret at its fifty-first session, the Centre for Human Rights had organized only one seminar on the issue since 1993. In its resolution 1996/8, the Commission had emphasized the importance of making the Centre a focal point for coordinating all programmes to be implemented by United Nations bodies and other parties for the realization of the Third Decade. The General Assembly had subsequently requested the High Commissioner for Human Rights to give the highest priority to programmes and activities dedicated to combating racism and racial discrimination. His own delegation continued to support those objectives.

32. Recommendations by the Special Rapporteur that had already been approved by the General Assembly and the Commission should be translated into action, particularly in the fields of human rights education, acceptance of others and tolerance for the sake of peace. The Special Rapporteur must be allocated the resources he needed.

33. Mr. JOKONYA (Zimbabwe) said that, despite the major developments in technology and the mass media which had brought people closer together, there was a resurgence of xenophobia, racial intolerance and ethnic conflicts throughout the world. Hardly a day passed without racist incidents being reported, such as the deportation of Africans from various countries for no clear reason other than the colour of their skin, the murder of black people by white extremists and the torching of homes or churches, while those who should be protecting the victims stood by and watched.

34. The international community must band together to cut out the malignant tumour of racism. Efforts had, indeed, been made to do so, but they had not always been successful or effective. His delegation thus supported the convening of a world conference on racism to settle the problem once and for all. Such a conference should devise specific measures to curtail the current manifestations of racism and spell out medium- and long-term plans to ensure that racism was deprived of the environment in which it could thrive.

35. The crucial Programme of Action of the Third Decade could succeed only if it had adequate financing, and serious consideration should be given to increased funding from the United Nations regular budget. The international media should assist in the fight against racism by barring the communication of racist sentiments, views and ideas.

36. Mr. IRUMBA (Uganda), having paid tribute to the Special Rapporteur whose report had highlighted the continued existence of racism and the concerted action that the international community should take, said that there had been a resurgence of propaganda aimed at inciting racial and ethnic hatred, with the result that minorities and migrant workers had been subject to physical attacks and other inhumane treatment, mainly on account of their colour or ethnic group, the worst examples being the genocide in Rwanda and the former Yugoslavia.

37. Economic and social upheavals, the massive influx of asylum-seekers and the aggressiveness of right-wing organizations had been given as explanations for the outbreak of xenophobia. While they might be contributory, it was regrettable that the measures adopted to address the problem had also engendered racism by making it appear that the victim was the cause of the problem. Racism could not be solved by developing a siege mentality against ethnic groups or races perceived as undesirable.

38. In view of the "growing ... tolerance of racist speech" and the "support by fringe populations of political parties conveying messages of racial superiority and incitement to racial hatred", mentioned in the report of the United Nations seminar on the subject (E/CN.4/1997/68/Add.1), all countries needed to take concerted action to combat racism and xenophobia. The Programme of Action for the Third Decade provided the framework and should be accorded the highest priority. It was disappointing, therefore, that support and financial resources had not been forthcoming. Only one seminar had been held on the issue since 1993 and the future prospects of the Programme remained bleak.

39. Very few of the activities planned for 1994-1997 were likely to be carried out unless there was supplementary financial help. His delegation therefore supported the proposal that the Programme should be funded from the United Nations regular budget. It also supported the proposal that an international conference to combat racism should be held.

40. Mr. ZIARAN (Observer for the Islamic Republic of Iran) said that the notion of white supremacy had again given rise to a resurgence of racism in the West. The reports of the Special Rapporteur clearly illustrated the horrors coloured people in the West had to live with on a daily basis. Racism had become deep-rooted in the West's police and justice system. Skin colour defined the extent of an individual's entitlement to human rights and fundamental freedoms. The reported cases of brutality, police intimidation and harassment, arbitrary arrest, death in custody, frame-ups, destruction of key evidence and a discriminatory application of the death penalty were shocking and, in most cases, the victims had little chance of legal redress.

41. The economic and social situation was even worse. Subtle forms of discrimination perpetuated the existing gap between whites and others, who

were often denied equal opportunities in education, employment and even housing. New legislation was enacted to restrict entry visas and access by coloured people to social services. In Israel, blood donations by blacks were discarded. Increasingly, politicians in the West associated themselves publicly with racist causes in an attempt to win votes from certain interest groups. That could lead to a legalization of racism and encourage far-right movements to go on the rampage with impunity.

42. There was a double standard on the part of the self-declared champions of the promotion and protection of human rights who preached good governance and democracy to other nations. His delegation thus strongly supported the Special Rapporteur's recommendation that a world conference on racism should be convened.

43. Mr. ULUÇEVIK (Observer for Turkey) said that the world once again appeared to be passing through an era in which subtle aspects of racism and xenophobia were sneaking into society and his delegation wished to know why. The Special Rapporteur's report contained a number of striking reasons that were of great importance to his country, whose citizens had constantly been victims of racism and xenophobia in Europe.

44. It was necessary to build social awareness to protect impressionable young people from racist ideas. Government agents who condoned or participated in racist activities should be subject to harsh penalties. Moreover, democratic institutions such as universities, professional associations and NGOs should combat racism by organizing seminars, public debates and other activities to expose the evils of racism and xenophobia. They should also encourage victims of those phenomena to lodge complaints and seek redress.

45. It was disturbing to note that the mass media had become a vehicle for spreading racist messages rather than combating them; the media should adopt regulatory mechanisms to reverse that trend. Since education was another effective means of combating racism, national educational systems should include in school curricula the history and consequences of racism.

46. He fully supported the work and the recommendations of the Special Rapporteur, who should be provided with adequate resources. His delegation would bear those considerations in mind when preparing a draft resolution on measures to combat racism and intolerance.

47. Lastly, he welcomed the European Union's declaration of 1997 as the European Year against Racism and agreed with the High Commissioner for Human Rights that the fight against discrimination should be given priority.

48. Mrs. MARKIDES (Observer for Cyprus) said that she was concerned about the findings contained in the Special Rapporteur's report (E/CN.4/1997/71) and supported the new procedure of the Committee on the Elimination of Racial Discrimination for identifying cases where urgent preventive action might be recommended. Her Government, which was fully committed to the promotion of tolerance and respect for diversity, complied with all of its obligations

under the Convention on the Elimination of All Forms of Racial Discrimination, had made the declaration provided for in article 14 of the Convention and had adopted measures to promote the objectives of article 7.

49. The people of Cyprus had, however, been subjected to racism and grave human rights violations for 23 years as a result of foreign occupation. One third of the population remained refugees in their own country, no information had yet been provided on the fate of missing persons, and Greek Cypriots in the occupied part of the country suffered intimidation, denial of access to education and medical care and attempts to eradicate all elements of the country's culture.

50. Mr. SERGIWA (Observer for the Libyan Arab Jamahiriya) said that, despite the international instruments on the elimination of racial discrimination, racist policies continued to be applied and racist practices continued to victimize millions of people. There had been xenophobic campaigns against immigrant workers and minorities in European countries and in the United States of America.

51. It was to be hoped, however, that the Special Rapporteur would show more impartiality in describing the phenomenon. His report (E/CN.4/1997/71) alleged that Arabs and Muslims displayed anti-Semitism. Islam was not, in fact, an intolerant religion and specifically recognized Judaism. Moreover, Arabs were themselves Semites. The Special Rapporteur's misuse of the term was evidence of partiality and ignorance, and the Commission should take care to use it correctly.

52. His country, whose legislation paid special attention to the principles of justice and equality before the law, had requested that a meeting on the Muslim, Christian and Jewish religions should be held, though it maintained its position concerning Israel, an intolerant State that pursued its aims through force and aggression. It was regrettable that the Special Rapporteur had not mentioned Israeli practices against the Palestinians.

53. The Centre for Human Rights should be given increased funding to enable it to conduct information activities to foster tolerance and understanding among different races, in the context of the Third Decade. Lastly, he reiterated the need to convene a world conference on contemporary forms of racism.

54. Mr. GALILEE (Observer for Israel) said that, unfortunately, there was no correlation between the amount of attention which the United Nations devoted to racism, and the results achieved. Nonetheless, its work in that sphere was important and should continue. Three years previously, the Commission's annual resolution on measures to combat contemporary forms of racism and related intolerance had mentioned anti-Semitism in both its preambular and operative parts, virtually the first time that the United Nations had recognized that anti-Semitism was a form of racism. As recently as 1993, the participants in the World Conference on Human Rights had refused to include any reference to anti-Semitism in the Vienna Declaration. While it was disturbing that the United Nations had apparently considered for so long that that form of racism could be overlooked or tolerated, the change of heart, though insufficient, was commendable.

55. It was disappointing that the Special Rapporteur had not expressed his own views in his report. Racism was not just a residue of colonialism or a form of prejudice against the nationals of developing countries. In carrying out his mandate, the Special Rapporteur should be guided by the Convention's reference to discrimination based on race, colour, descent or national or ethnic origin. For example, many racist anti-Semitic and anti-Israel sentiments had recently been expressed in France as a result of a debate on the Holocaust.

56. Lastly, his delegation reiterated its support for the work of the Special Rapporteur which, it hoped, would continue to be carried out in a comprehensive and fearless manner in all parts of the world.

57. Mr. ORFI (Observer for the Syrian Arab Republic) said that, despite the defeat of nazism in the Second World War, the triumph of the civil rights movement in the United States of America and the elimination of apartheid in South Africa, racism still existed and was taking on new forms. Arabs and Muslims had become the victims of efforts to distort their image and to create an artificial "clash of civilizations" between the Islamic and Western worlds. Civil society must reject confrontation and promote tolerance between cultures and peoples while, more particularly, non-Muslim peoples should learn that Islam was based on tolerance, justice and equality.

58. He appreciated the Special Rapporteur's efforts to fulfil his mandate with integrity and objectivity. In particular, part II, section D, of his report (E/CN.4/1997/71) rightly noted that the Western information media discriminated against Arabs by portraying them as terrorists. He hoped that the Special Rapporteur would devote more attention to racism and racial discrimination against Arabs. However, he wished that the report had been more balanced in presenting different viewpoints and that it had treated all types of racism and xenophobia equally.

59. The lengthy excerpts from an Israeli Government report on anti-Semitism (part II, section E) falsified the history and features of Islam. The reference to "Islamist and Arab anti-Semitism" was most surprising, since Arabs were themselves Semites. The Israeli Government's assertion that Muslims did not differentiate between Zionism and Judaism and that Muslim extremists were turning to the Koran as a primary anti-Jewish source was a complete distortion of the facts. The Koran did not instigate hatred of Judaism; on the contrary, it noted the common foundations of Islam and Judaism.

60. Mr. DIABIRA (International Federation of Human Rights Leagues) said it was regrettable that the Commission had not considered the Special Rapporteur's report on his visit to France and the recommendations it contained. An international fact-finding mission on the situation in France had found that the intolerable treatment of asylum-seekers violated international human rights law. As in many other Western European countries, asylum-seekers faced administrative obstacles, based on the assumption that their applications were unfounded, while deportation proceedings did not provide for sufficient appeals procedures. The adoption of the so-called Debré Act, which added to the legislative arsenal concerning the treatment of foreigners in France, had made the situation even worse.

61. The Special Rapporteur's recommendations, and those which his own organization had submitted to the French authorities, were still relevant. French immigration and asylum policy was badly in need of review. He called upon the Commission to conduct an in-depth analysis of the Special Rapporteur's report on France and to decide what action should be taken, and on the authorities of all European countries to end such serious violations of human rights and fundamental freedoms.

62. Ms. SPALDING (International Association of Educators for World Peace) said it was essential that all those working to combat racism should use every available means of educating the public, including the new electronic media. The importance of sport and light entertainment in educating people about racism should not be underestimated, particularly when the celebrations for the fiftieth anniversary of the Universal Declaration of Human Rights in 1998 were being planned.

63. Her Association had held two successful round tables in 1996, with the participation of various United Nations bodies and young people with direct experience of the impact of racism on all aspects of daily life, and another round table was to be held on the subject of the Internet.

64. Ms. CARBY-MUTAMBIRWA (International Youth and Student Movement for the United Nations), speaking also on behalf of 14 other non-governmental organizations,* said that, despite over two decades of concerted efforts, racism and racial discrimination were on the rise in most countries and openly racist political parties were increasing their electoral strength. The NGOs she represented were dismayed that Governments appeared to be losing interest in, and were unwilling to support financially, the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination.

65. They called on the Commission to set a date for a world conference to combat racism, racial discrimination, xenophobia and other related contemporary forms of intolerance, as requested by the General Assembly. Governments, the United Nations and NGOs were united in the belief that such a conference, which should be held by 1999, would send a clear signal that the world community was determined to deal decisively with the scourge of racism, and would provide an excellent opportunity to develop specific strategies to combat racism and racial discrimination.

66. Mr. PUNJABI (Himalayan Research and Cultural Foundation) said the worst holocausts the world had witnessed had been the direct result of racist ideologies. Unfortunately, the lessons of history had not been learnt and there was a resurgence of racial discrimination and xenophobic practices. As the High Commissioner for Human Rights had pointed out, immigrants, refugees, minorities and indigenous peoples were seeing their fundamental rights flouted.

67. It was easier to trace the roots of racism than it was to track down the groups which promoted racist practices, but Governments must take steps to deal with those groups, or stand accused of covertly sponsoring terrorism by

---

* The list of non-governmental organizations concerned appears as an annex to this summary record.

turning a blind eye. A case in point was Pakistan, where the Government was ignoring the plight of the Christian minority, whose homes had been set on fire and whose members had been assaulted.

68. Ms. NEURY (Centre Europe - Tiers Monde) said that a new form of discrimination dubbed "American apartheid", had been identified by a United States sociologist. It consisted of the gradual but very methodical residential segregation of blacks in new isolated housing projects in the centres of big United States cities. It was the duty of the Commission to examine that phenomenon, since social conditions affected the observance of human rights.

69. The use of the term "apartheid" was no exaggeration. In the first place, the existence of areas where the population was entirely black presented a situation in which racial groups led separate and parallel existences in geographical areas assigned to them, the very definition of apartheid. Secondly, there was evidence that the phenomenon was not due to purely social factors but to deliberate policies that had been adopted by white decision-makers at the national and local levels to control the racial composition of urban populations. Thirdly, some of the apologists for such policies had gone so far as to claim a biological basis for residential segregation.

70. Respect for economic and social rights depended on public finance; if the level of finance was reduced, in order to "liberalize" the economy, those rights suffered. Pacification by segregation could then be viewed as a way to manage the problems thus created.

71. The Commission should condemn those practices and call on the United States Government to investigate the matter and take the necessary action. The international community could not accept such segregation, particularly in a wealthy country, whose concern for individual and minority rights was well-known.

72. Ms. OLSTHOORN (Minority Rights Group) said that asylum-seekers from Africa and Asia were suffering from racial discrimination in western Europe, where they were likely to be portrayed as immigrants in disguise and discriminated against by the local population. The number of asylum-seekers in western Europe had fallen dramatically in the 1990s, partly as a result of unrealistic visa requirements and the legislation providing for airlines and other carriers to be fined for carrying passengers without documentation, which prevented asylum-seekers from reaching the frontiers of the countries concerned. European Union harmonization measures, which restricted the number of asylum-seekers still further, had often been agreed upon in an undemocratic manner behind closed doors.

73. Those asylum-seekers who eventually reached western Europe were often treated like criminals, facing restricted freedom of movement and long periods of detention. According to a recent survey by the High Commissioner for Refugees, the detention of asylum-seekers was on the increase in every western European country. In the United Kingdom, asylum-seekers spent longer in prison, often in worse conditions than criminals, than anyone else held under the Immigration Act.

74. The definition of a refugee in the 1951 Convention relating to the Status of Refugees was being interpreted in an increasingly restrictive way, with more and more asylum-seekers being allowed to stay on humanitarian grounds only, which limited their rights as refugees. They were also increasingly being returned to the country of first asylum, where they risked being forcibly returned to the country from which they had fled.

75. The western European countries should honour their international obligations to asylum-seekers and refugees, and also tackle the root causes of refugee flows, by developing long-term conflict-prevention strategies and acting to avoid crises and human rights violations that could lead to violent conflict and population displacement. The Commission should emphasize that the steps taken by the members of the European Union to harmonize policy on refugees should be subject to the democratic parliamentary process.

76. Mr. M.K. SINGH (India), speaking in exercise of the right of reply, said that his Government looked forward to a positive relationship with the Organization of the Islamic Conference (OIC) under the new leadership of Mr. Laraki. However, Mr. Laraki's comments on the internal affairs of India were ill-judged and would certainly not be endorsed by most OIC members. Support for the bilateral talks to be held between India and Pakistan was welcome, but any attempt at outside intervention in such a complex and delicate situation would not be conducive to peace in the region.

77. Mr. NAZARIAN (Observer for Armenia), speaking in exercise of the right of reply, said he could not accept the reference by the Secretary-General of the Organization of the Islamic Conference, Mr. Laraki, to "Armenian aggression", when it was a well-known fact that the conflict was between the defence forces of Nagorny Karabakh and the regular army units of Azerbaijan. Mr. Laraki had also exaggerated the number of displaced persons and refugees in Azerbaijan, without mentioning that 600,000 Armenians had also been uprooted. Such inaccurate information could seriously damage the peace process, which had just reached a new stage with the meeting of the Minsk Group in Paris.

The meeting rose at 5.55 p.m.

Annex

List of non-governmental organizations sponsoring the statement by the International Youth and Student Movement for the United Nations

African Association of Education for Development

Baha'i International Community

Christian Life Community

International Federation of Jewish Women

International Federation of University Women (IFUW)

International Movement against All Forms of Discrimination and Racism

Movement against Racism and for Friendship among Peoples

Women's International Democratic Federation

Women's International League for Peace and Freedom

World Alliance of Young Men's Christian Associations (YMCA)

World Association of Girl Guides and Girl Scouts (WAGGGS)

World Federation of Democratic Youth (WFDY)

World Federation of United Nations Associations

Human Rights Commission of Pakistan